REMARKS/ARGUMENTS

Claims1-20 are pending in the present application. Claims 1, 4-8, 11, 12, 14, and 17-20 are amended. Support for the amendments to the claims can be found on pages 8-11 and 17 of the specification and on pages 12 and 14 of the specification. No new matter is added. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 101: Asserted Non-Statutory Subject Matter

The examiner rejects claims 1-5, 7-12, 14-18, and 20 under 35 U.S.C. § 101 as directed towards non-statutory subject matter. With respect to claims 1-5, Applicants have amended the claims to specify, "storing the new network address and an identification of the current server." By storing the new network address and an identification of the current server, a tangible result takes place. Accordingly, this rejection is overcome with respect to claims 1-5.

With respect to the remaining claims, this rejection is respectfully traversed. A claim drawn to otherwise statutory subject matter does not become non-statutory simply because it uses a mathematical formula, computer program, or digital computer. *Diamond v. Diehr*, 450 U.S. 175, 209 U.S.P.Q. 1 (1981). It is impermissible to focus on a mathematical algorithm which may be part of a claim while donning blinders to block out all other parts of the claim and then declare that the claim as a whole is directed to a mathematical algorithm. *Ex parte Luthi*, 38 U.S.P.Q.2d 1863, 1864 (Bd. Pat. App. and Inter. 1992), citing Ex Parte Logan, 20 U.S.P.Q.2d 1465, 1468 (Bd. Pat. App. and Inter. 1991).

With respect to each of claims 7-12, 14-18, and 20 the examiner asserts that no tangible result occurs. However, a tangible result is not required because these claims are directed to tangible, physical devices. The examiner's rejection is akin to rejecting a claim to a bicycle under 35 U.S.C. § 101 simply because "no tangible result" arises, a rejection that does not comport with the requirements of 35 U.S.C. § 101, *Diamond v. Diehr*, or *Ex parte Luthi.*

More specifically, claim 7 includes the features of a data processing system having a bus, a communications unit, a memory, and a processing unit. These devices are physical, tangible things. Given that a claim drawn to otherwise statutory subject matter does not become non-statutory simply because the claim uses a computer program, as provided in *Diamond v. Diehr*, claim 7 is statutory under 35 U.S.C. § 101. Accordingly, this rejection is overcome with respect to claim 7.

With respect to claim 8, this claim includes comparing means, creating means, and sending means. While the exact structures of these means are not defined, the "means" are nevertheless physical structures that can accomplish the claimed steps. This type of claim construction is specifically allowed by 35 U.S.C. § 112, sixth paragraph. Given that a claim drawn to otherwise statutory subject matter does not become non-statutory simply because the claim uses a computer program, as provided in *Diamond v. Diehr*, claim 8 is statutory under 35 U.S.C. § 101. Accordingly, this rejection is overcome with respect to claim 8 and its dependent claims 9-12.

More specifically, claim 14 includes the features of a computer program product stored in a recordable-type medium. This claim is directed towards a tangible device – the recordable-type medium.. Given that a claim drawn to otherwise statutory subject matter does not become non-statutory simply because the claim uses a computer program, as provided in *Diamond v. Diehr*, claim 14 is statutory under 35 U.S.C. § 101. Accordingly, this rejection is overcome with respect to claims 14-18 and 20.

II. 35 U.S.C. § 103(a): Asserted Obviousness

II.A. Claim 1

The examiner rejects claim 1 under 35 U.S.C. § 103 as obvious over *Daizo*, Network System and DHCP Server Selection Method, U.S. Patent 6,424,654, (July 23, 2002) (hereinafter "*Daizo*") in view of *Maufer*, Method and Apparatus for Network Address Translation Integration with Internet Protocol Security, United States Patent Application Publication 2003/0233475 (December 18, 2003) (hereinafter "*Maufer*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 1, Daizo discloses the limitations of a data processing system comprising: comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server;(Col. 5 lines 34- 38 The selector unit 129 compares two IP addresses 32 and 33 received from DHCP servers 11 and 21, respectively with the reference address 31 stored in the memory unit 12f and selects one of the DHCP servers for which a client requests permission to use an IP address.); creating a release data packet if the received network address is a new network address and the previous server is a different server that the current server, wherein the release data packet includes the prior network address" (Col.6 lines 5- 30 Fig 4 and Fig 5 The packet format comprises an op .field 41, which indicates the type of message) Daizo did not disclose the limitation of "sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse". 'The general concept of having the limitation of "sending the release data packet to the previous server, the release data packet causes the previous server to release the prior network address for reuse is well known in the art as taught by Maufer. Maufer discloses the limitation of sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse". (Col.5 [0043] lines 6 -1 7 it will use DHCP to release one of the private addresses so that it can be assigned to another location). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daizo to include the limitations of "sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network

> address for reuse" as taught by Maufer. This is advantageous in that IP addresses can be used efficiently, and network management can be simplified.

Office action of April 16, 2007, pp. 7-8.

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). The scope and content of the prior art are... determined; differences between the prior art and the claims at issue are... ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or non-obviousness of the subject matter is determined. *Graham v. John Deere Co.*, 383 U.S. 1 (1966). Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. *KSR Int'l. Co. v. Teleflex, Inc.*, No. 04-1350 (U.S. Apr. 30, 2007). Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *Id.* (citing *In re Kahn*, 441 F.3d 977, 988 (CA Fed. 2006)).

Claim 1 as amended is as follows:

> 1. (Currently Amended) A method in a client data processing system for managing network addresses, the method comprising:
>
> comparing a received network address from a current server with a prior network address from a previous server, wherein the received network address is received at the client data processing system and wherein the prior network address is associated with the client data processing system;
>
> creating, at the client data processing system, a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address and wherein the release packet contains instructions for the previous server to release the prior network address for reuse;
>
> sending the release data packet to the previous server; and
>
> storing the new network address and an identification of the current server.

II.A.1. ***The Combination of Daizo and Maufer Does Not Teach All of the Features of Claim 1***

The examiner failed to state a *prima facie* obviousness rejection against claim 1 because the proposed combination of *Daizo* and *Maufer*, considered as a whole, does not teach or suggest all of the features of claim 1. In particular, the combination of *Daizo* and *Maufer* does not teach the claimed features of comparing or creating. The examiner's erroneous assertions to the contrary are rebutted below.

The examiner first asserts that *Daizo* teaches, "comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server." However, this assertion is manifestly incorrect. The portion of *Daizo* to which the examiner refers to is as follows:

> The selector unit 12g compares two IP addresses 32 and 33 received from DHCP servers 11 and 21, respectively with the reference address 31 stored in the memory unit 12f and selects one of the DHCP servers for which a client requests permission to use an IP address.

Daizo, col. 5, ll. 34-38.

This portion of *Daizo* teaches that a selector unit in a computer compares each of two IP addresses received from two DHCP servers *to a reference address* stored in the memory unit of the computer. *Daizo* then teaches that the computer selects one of the DHCP servers for which a client requests permission to use an IP address.

Overall, *Daizo* teaches a method of selecting which of several available DHCP servers to use. *Daizo*, Abstract. *Daizo* is particularly concerned with having computers on one local area network select the same DHCP server. In doing so, a situation can be avoided in which multiple computers in a local area network reference different DHCP servers. To accomplish this goal, as taught by the cited paragraph, *Daizo* teaches that the client computer receives IP addresses from two (or more) DHCP servers and then compares those IP addresses to a particular reference address. *Daizo* further teaches that the client computer selects the IP address corresponding to the DHCP server that is located physically closest to the client computer.

These teachings are in stark contrast to the claimed feature of, "comparing a received network address from a current server with a prior network address from a previous server, wherein the received network address is received at the client data processing system and wherein the prior network address is associated with the client data processing system." In *Daizo*, the DHCP addresses are compared to a *reference* address. As claimed, two network addresses, the received network address and prior network address, *are compared to each other.* This feature is manifestly different than the teachings of *Daizo*. Thus, *Daizo* also does not suggest this feature of claim 1.

Moreover, in *Daizo*, the two described DHCP servers are concurrent – both have transmitted potentially usable IP addresses to the client. As claimed, a *current* network address from a *current* server is compared with a *prior* network address from a *previous* server. A current network address is a network address that is currently used. A prior network address is a network address that is no longer being used. These features are entirely distinct from the two concurrent IP addresses received in *Daizo*. Furthermore, *Daizo* teaches receiving IP addresses concurrently from two DHCP servers, and does not address a *current* server and a *previous* server. Instead, in *Daizo*, both DHCP servers are current servers. Thus, again, *Daizo* is utterly different that the invention of claim 1. Accordingly, *Daizo* also does not suggest this feature of claim 1.

Additionally, *Daizo* does not teach or suggest the claimed feature of, "creating, at the client data processing system, a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address and wherein the release packet contains instructions for the previous server to release the prior network address for reuse." The examiner asserts otherwise with respect to a similar feature in original claim 1, citing the following portion of *Daizo*:

> As shown in FIG. 4, the packet format comprises an op field 41, which indicates the type of message, an htype field 42, which is the same as the type ARP (Address Resolution Protocol) in the MAC (Media Access Control) layer, an hlen field 43, which indicates the kind of hardware address, a hops field 44, which is used when there is a relay agent, and an xid field 45 for use as a transaction ID. Since a packet format such as this is stipulated in RFC 1531, a detailed description thereof is omitted. Also, an IP address returned by a DHCP server is stored in an option field 47.
>
> Next, the procedures leading up to the acquisition of an IP address by client 12 shown in FIG. 1 are explained.
>
> FIG. 5 is a flowchart showing the procedures leading up to the acquisition of an IP address by client 12 shown in FIG. 1.
>
> As shown in FIG. 5, first of all, when client 12 broadcasts a Discover packet (Step 501), DHCP servers 11 and 21 both receive this Discover packet (Step 502).
>
> Next, DHCP servers 11 and 21 each decide on an IP address to be allocated to client 12, and send Offer packets containing this IP address to client 12 (Step 503).
>
> And then, when client 12 receives each Offer packet (Step 504), it extracts the IP address from each Offer packet, and, using each IP address together with the reference address stored in the memory unit 12f, it carries out processing to select the DHCP server from which to acquire an IP address (Step 505).

Daizo, col. 6, ll. 4-31.

This portion of *Daizo* teaches the packet format, including an op field. When the client receives an offer packet, the client extracts the IP address from each offer packet. The client compares the extracted IP address to the reference address stored on the client, in the manner described above.

The examiner asserts that, "the packet format comprises an op field 41, which indicates the type of message." The examiner appears to assume that this type of message somehow transforms the plain disclosures of *Daizo* into a teaching regarding a release packet.

However, the examiner is manifestly incorrect. *Daizo* plainly teaches nothing regarding creation of release packets. In fact, *Daizo* is not concerned with releasing IP addresses to DHCP servers. Instead, *Daizo* teaches comparing offered IP addresses to a reference address and *then accepting* one of those addresses. The remaining IP addresses are never released to the DHCP servers because they are not accepted or used in the first place.

Therefore, Applicants have established that *Daizo* does not teach either of the features of claim 1 as asserted by the examiner. Additionally, *Maufer* is also devoid of disclosure regarding these claimed features. *Maufer* is utterly devoid of disclosure regarding the comparing network addresses in the claimed manner. Additionally, *Maufer* does not teach, "creating, at the client data processing system, a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address and wherein the release packet contains instructions for the previous server to release the prior network address for reuse," as in claim 1. Assuming, *arguendo*, that *Maufer* suggests creating release packets, an assertion Applicants dispute, *Maufer* does not create the release packet *if* the received network address is a new network address *and* the *previous server* is *a different server* than the *current server*, as in claim 1. The examiner does not assert otherwise.

In addition, the combination of *Daizo* and *Maufer*, considered as a whole, does not teach the claimed feature of, "sending the release data packet to the previous server," as in claim 1. The examiner admits that *Daizo* does not teach this claimed feature, and by implication admits that *Daizo* does not suggest this claimed feature.

Additionally, *Maufer* does not teach or suggest this claimed feature. The examiner asserts otherwise, citing the following portion of *Maufer*:

> [0043] If, however, a DHCP server does not support correlation of two DHCP requests from a same client computer 106-A as described, wherein client identifiers differ only in Local bit value, then a second private IP address will be sent to a requesting client computer 106-A. If a client computer 106-A receives a second private address, it will use DHCP to release one of the private IP addresses at step 204 back into a pool of private addresses so that it can be assigned to another local station. Accordingly, if a second private IP address is sent from a DHCP server, then that informs a client computer 106-A that NAT is being used and that no public IP address assignment capability is provided. Stated another way, gateway 106 supports NAT but it does not support AH IPSec and NAT according to the algorithms defined herein. Thus, at step 205, client computer determines that it can only safely support IKE negotiation of ESP-based security associations, for reasons that are described in more detail below.

Maufer, paragraph 0043.

This portion of *Maufer* teaches that if a DHCP server does not support correlation of two DHCP requests from a same client computer, then a second private IP address is sent to the requesting client computer. In response, the client computer will release one of the private IP addresses back to the DHCP server. This technique informs a client computer that network address translation is being used and that neither public IP address assignment capability is provided nor AH IPSec is provided. For this reason, the client computer can only safely support Internet key exchange negotiation of Encapsulating Security Payload-based security associations.

Generally, *Maufer* is directed to security of IP communications. *Maufer*, Abstract. *Maufer* accomplishes better security, in part by having a client computer request two IP addresses from a DHCP server. The rest of the details regarding the security procedures are unimportant to the invention of claim 1; however, *Maufer* teaches that one of the requested IP addresses is released back to the DHCP server.

These features have utterly nothing to do with the claimed feature of, "sending the release data packet to the previous server," as in claim 1. Assuming, *arguendo*, that *Maufer* suggests sending release packets, *Maufer* does not send a release data packet *to a previous server*. Instead, *Maufer* teaches releasing one of two IP addresses back to a *current DHCP server*. Thus, *Maufer* does not teach this claimed feature even if the examiner's erroneous assertions are assumed. Similarly, given the utter lack of disclosure in *Maufer* regarding this claimed feature, *Maufer* also does not suggest this claimed feature.

As shown above, the proposed combination of *Maufer* and *Daizo*, considered as a whole, fails to teach or suggest any of the comparing, creating, and sending steps as recited in claim 1. Accordingly, under the standards of *In re Lowry*, the examiner failed to state a *prima facie* obviousness rejection against claim 1.

II.A.2. *A Proper Reason To Combine the References Has Not Been Stated*

Regarding a reason to combine the references, the examiner states that combining the references to achieve the claimed references would be, "advantageous in that IP addresses can be used efficiently, and network management can be simplified." However, in light of the fact that neither *Daizo* nor *Maufer* teach or suggest any of what the examiner asserts these references to teach, this reason to combine the references is insufficient to be a proper reason to combine the references.

Additionally, the cited reason to combine the references is insufficient because one of ordinary skill in the art, upon viewing the references, would not appreciate the problem solved by claim 1. Claim 1 solves a problem of leaving network addresses tied up when a computer moves from a previous DHCP server to a current DHCP server. *Daizo*, which is directed to determining to which *available* DHCP server a computer should connect, does not recognize this problem. *Maufer*, which is directed to communication security, does not recognize this problem. Because neither reference teaches any awareness of the problem addressed by claim 1, one of ordinary skill would have utterly no reason to combine the references to achieve the invention of claim 1. The examiner's putative reason to combine the references only refers to efficient use of IP addresses and network management. However, in light of the fact that one of ordinary skill would not recognize the specific problem to be solved when confronted with *Maufer* and *Daizo*, this overly-broad reason to combine the references does not provide a sufficient reason to combine the references to achieve the invention of claim 1.

Furthermore, the examiner's putative reason to combine the references is so overly broad that the reason cannot be used to combine the references to achieve the invention of claim 1. Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. *KSR Int'l. Co. v. Teleflex, Inc.*, No. 04-1350 (U.S. Apr. 30, 2007). Given that neither *Maufer* nor *Daizo* are at all related to claim 1, one of ordinary skill could not use the examiner's overly-broad statement to combine the reference to achieve the invention of claim 1. For this reason, the examiner's asserted reason to combine *Daizo* and *Maufer* is a conclusory statement that does not provide *articulated reasoning* with *some rational underpinning* to support the legal conclusion of obviousness. Accordingly, the examiner failed to provide a proper reason to combine *Daizo* and *Maufer* to achieve the invention of claim 1. Accordingly, the examiner failed to state a *prima facie* obviousness rejection against claim 1.

II.B. Claims 3 and 10

The examiner rejects claims 3 and 10 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Inoue et al.*, Mobile IP Communication Scheme Using Dynamic Address Allocation Protocol, U.S. Patent 6,510,153 (January 21, 2003) (hereinafter "*Inoue*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claims 3 and 10; Daizo and Maufer discloses all the limitations of claims 3 and 10 that is described above. Daizo did not disclose the limitation of "initiating the creating step only after the new network address has been bound to the data processing system" The general concept of "initiating the creating step only after the new network address has been bound to the data processing system" is well known in the art as taught by Inoue. Inoue discloses the limitation of "initiating the creating step only after the new network address has been bound to the data processing system" (Col.11 lines 58-67 An initialization DHCPDISCOVER message is transmitted, or a DHCPREQUEST message is transmitted on addition (at a DHCP processing unit 13 of FIG. 6), and a DHCP address offered by a DHCPOFFER message returned in response to the DHCPDISCOVER message or a DHCP address acquired from a DHCPACK message returned in response to the DHCPREQUEST message is compared with

> the DHCP address stored in the DHCP address). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daizo to include the limitations of' initiating the creating step only after the new network address has been bound to the data processing system" as taught by Inoue. No IP address is assigned to a second client while the first client's assignment is valid. This is advantageous in that IP addresses can be used efficiently, and network management can be simplified.

Office action of April 16, 2007, pp. 8-9.

The rejection of claims 3 and 10 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claims 3 and 10 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and Inuoe does not teach or suggest all of the features of claims 3 and 10. Inuoe teaches the following:

> A mobile IP communication scheme in which the mobile computer can be operated using the mobile communication protocol such as Mobile IP even in the case where the home network is operated by the dynamic address allocation protocol such as DHCP is disclosed. The current location registration message to be transmitted by the mobile computer from the visited site to the mobile computer management device contains an information indicating that the dynamic address allocation has been received at the home network and an information capable of identifying the mobile computer, and the mobile computer management device carries out exchanges with the dynamic address management server on behalf of the mobile computer, so that the mobile computer which has received the dynamic address allocation at the home network can be operated at the visited site by using the mobile communication protocol.

Inoue, Abstract.

Thus, *Inoue* teaches a method of mobile IP communication. The mobile computer can be operated using a mobile IP protocol, even in the case where the home network is operated by the DHCP protocol. A proxy device is used to communicate between a DHCP server and the mobile computer. However, *Inoue* is devoid of disclosure regarding the claimed steps of comparing, creating, and sending, as recited in claim 1. At best, *Inoue* teaches releasing IP addresses, but not in the claimed manner.

Because each of *Daizo*, *Maufer*, and *Inoue* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claims 3 and 10.

II.C. Claims 2, 9, and 15

The examiner rejects claims 2, 9, and 15 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *McCosh*, Communications Tester and Method of Using Same, United States Patent Application Publication 2003/0204611 (October 30, 2003) (hereinafter "*McCosh*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 2, 9, and 15, Daizo and Maufer discloses all the limitations of claims 2, 9, and 15 that are described above. However, Daizo did not disclose, "The current server and the prior server are dynamic host configuration protocol servers." The general concepts of having "the current server and the prior server are dynamic host configuration protocol servers" are well known in the art as taught by McCosh. McCosh discloses, "The current server and the prior server are dynamic host configuration protocol servers." (Col. 4 [0036] When connected, the communications tester 10 is enabled to perform a DHCP exchange 157 with DHCP server 136. It is possible that a network has multiple DHCP servers, such as DHCP servers 134 and 136.) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daizo by Mchosh to include " the current server and the prior server are dynamic host configuration protocol servers" as taught by McCosh in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

Office action of April 16, 2007, pp. 9-10.

The rejection of claims 2, 9, and 15 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claims 2, 9, and 15 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *McCosh* does not teach or suggest all of the features of claims 2, 9, and 15. *McCosh* teaches the following:

> A portable and handheld communications tester is provided. The communications tester conveniently simulates a DHCP client for establishing communication with a DHCP server. Accordingly, the communications tester exchanges standardized DHCP messages with the server to be assigned a dynamic IP address. The communications tester thereby verifies operational connectivity with the DHCP server. The communications tester may be arranged with particular physical connectors for connecting to Ethernet, DSL, fiber optic, and/or coaxial cables. Further, the communications tester may have an optional integral modem for providing modulation and demodulation on the communication cable. In a particular example of the communications tester, the communications tester also incorporates a PING function for interrogating IP devices along the communication link. The tester may also employ BERT, Stress and other testing functions to further characterize and verify the robustness of the communication connection. Conveniently, the communications tester may be provided as a standalone device, or may be integrated into existing portable test equipment.

McCosh, Abstract.

McCosh teaches a communications tester that simulates a DHCP client. The tester does not actually process any of the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, and *McCosh* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claims 2, 9, and 15.

II.D. Claims 4, 11, and 17

The examiner rejects claims 4, 11, and 17 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Meyer*, *et al.*, Web Browser Remote Computer Management System, U.S. Patent 6,289,378 (September 11, 2001) (hereinafter "*Meyer*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 4, 11, and 17 Daizo and Maufer discloses all the limitations of claims 4, 11, and 17, which is described above. However, Daizo did not disclose the limitation of "the network address is an Internet protocol address." The general concept of "the network address is an Internet protocol address" is well known in the art as taught by Meyer. Myer discloses the limitation of" the network address is an Internet protocol address" (Col.6 lines 53-56 The shut down CGI application tells the Windows operating system running on the client computer to shutdown and reboot 765. After the client computer has rebooted, the computer will be configured on the new network IP address 770). It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Daizo by Meyer to include the limitation of " the network address is an Internet protocol address" as taught by Meyer in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

Office action of April 16, 2007, pp. 10-11.

The rejection of claims 4, 11, and 17 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claims 4, 11, and 17 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *Meyer* does not teach or suggest all of the features of claims 4, 11, and 17. *Meyer* teaches the following:

> A computer management system capable of managing computer programs, computer files, computer settings, peripheral settings and the like is controlled through the use of agents on the computers and a remote accessing program. The remote accessing program, in a preferred embodiment, can be a commercial web browser. The user can use the remote accessing program from any computer to

> reach the agent on the computer. After being recognized by the agent, the user can make any adjustments to the computer through the agent.

Meyer, Abstract.

Meyer teaches a commercial Web browser agent for managing computer programs, files, settings, and peripheral settings. Neither the agent nor the Web browser processes any of the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, and *Meyer* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claims 4, 11, and 17.

II.E. Claims 5, 12, and 18

The examiner rejects claims 5, 12, and 18 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Ju*, *et al.*, Method for Providing Packet Data Service in a Wireless Communication System, United States Patent Application Publication 2003/0067923 (April 10, 2003) (hereinafter "*Ju*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claims 5,12 and 18 Daizo and Maufer, discloses all the limitations of claims 5,12,18 which is described above. However, Daizo did not disclose the limitation of " the release data packet causes the previous server to send an update to a domain name server to delete an entry mapping the prior network address to a name for the data processing system." 'The general concept of " the release data packet causes the previous server to send an update to a domain name server to delete an entry mapping the prior network address to a name for the data processing system." is well known in the art as taught by Ju. Ju discloses the limitations " the release data packet causes the previous server to send an update to a domain name server to delete an entry mapping the prior network address to a name for the data processing system." (Col.8 [0130] In step S550, the packet data service node generates a DNS delete request message using the domain name and the mobile station, and transmits the generated DNS delete request message to the DNS server.) It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daizo by Ju to include the limitation of "the release data packet causes the previous server to send an update to a domain name server to delete an entry mapping the prior network address to a name for the data processing system" as taught by Ju in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

Office action of April 16, 2007, pp. 11-12.

The rejection of claims 5, 12, and 18 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claims 5, 12, and 18 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *Ju* does not teach or suggest all of the features of claims 5, 12, and 18. *Ju* teaches the following:

> Discloses is a method for providing a packet data service in a wireless communication system. A packet data service node (PDSN) or a home agent (HA) allocates an IP (Internet Protocol) address to a mobile station and then registers the allocated IP address information in a DNS (Domain Naming System) server along with a domain name of the mobile station. Alternatively, upon receiving an accounting request message from the packet data service node, an AAA (Authentication, Authorization and Accounting) server registers the IP address information of the mobile station in the DNS server in association with the domain name of the mobile station. Thus, a correspondent node (CN), though it does not recognize the IP address of the mobile station, can access the mobile station using the domain name.

Ju, Abstract.

Ju teaches a method for providing packet data service in a wireless communication system. A home agent allocates IP addresses to a mobile station and registers the IP address in a domain name server. *Ju* states that a correspondent node, even if it does not recognize the IP address of the mobile station, can access the mobile station using the domain name. However, none of these features are related to the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, and *Ju* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claims 5, 12, and 18.

II.F. Claims 6, 13, and 19

The examiner rejects claims 6, 13, and 19 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Bing*, *et al.*, System and Method for Updating Network Appliances Using Urgent Update Notifications, United States Patent Application Publication 2004/00267837 (December 30, 2004) (hereinafter "*Bing*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 6, 13, and 19 Daizo and Maufer discloses all the limitations of claims 6,13, and19 which is described above. Daizo did not disclose the limitation of "storing the new network address and an identification of the current server in a log." The general concept of "storing the new network address and an identification of the current server in a log" is well known in the art as taught by Bing. Bing discloses the limitations of "storing the new network address and an identification of the current server in a log." (Col. 6 claim 21 wherein the update server us further configured to collect IP address of the network appliances in conjunction with periodic update requests store the IP addresses in a log). It

> would have been obvious to one of ordinary skill in the art at the time of the invention to modify Daizo by Bing to include the limitation of "storing the new network address and an identification of the current server in a log" as taught by Bing in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is don by the server.

Office action of April 16, 2007, pp. 12-13.

The rejection of claims 6, 13, and 19 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claims 6, 13, and 19 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *Bing* does not teach or suggest all of the features of claims 6, 13, and 19. *Bing* teaches the following:

> The invention provides a system and method for updating network appliances using urgent update notifications. The network appliances periodically initiates connection to "poll" updates from the update server and the update server collects IP addresses from the connections and updates an IP address log. The update server obtains updates for the network appliances and determines whether a particular update is urgent. When an urgent update is available, the server delivers an urgent update notification (UUN) to each known network appliance through an existing port used for messaging. Each network appliance receives the UUN and distinguishes it from other messages. In response to the UUN, each network appliance automatically connects to the server, obtains the urgent update and installs the urgent update.

Bing, Abstract.

Bing teaches a method for updating network appliances using urgent update notifications. An update server is used to track updates. Responsive to receiving an urgent update notification from the update server, the network appliances connect to the server and obtain the urgent updates. However, none of these features are related to the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, and *Bing* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claims 6, 13, and 19.

II.G. Claim 7

The examiner rejects claim 7 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Schauser, et al.*, Method and Apparatus for Providing Remote Access, Control of Remote Systems and Updating of Display Information, United States Patent 6,331,855 (December 18, 2001) (hereinafter "*Schauser*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 7 Schuauser discloses ,the limitations of "a data processing system for managing network addresses, the data processing system comprising: a bus system; a communications unit connected to the bus system; a memory connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system, wherein the memory includes a set of instructions; and a processing unit connected to the bus system, wherein the processing unit executes the set of instructions" (Abstract. The present invention is a system and method for controlling information displayed on a first processor-based system, from a second processor-based system. A memory is to store instruction sequences by which the second processor -based system is processed) (Col. 4 lines 56-60 one with a coprocessor that shares the system bus with the main CPU; a display processor that either shares the system bus and system memory or a display processor that has its own bus and memory system;) Schuauser did not disclose the limitations to "compare a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; "create a release data packet if the received network address is a new network a new network address and the previous server is a different server that the current server which the release data packet includes the prior network address" The general concept of having the limitations of compare a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; create a release data packet if the received network address is a new network a new network address and the previous server is a different server that the current server which the release data packet includes the prior network address" is well known in the art as taught by Daizo. Daizo discloses the limitations "comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server;(Col. 5 lines 34- 38 The selector unit 129 compares two IP addresses 32 and 33 received from DHCP servers 11 and 21, respectively with the reference address 31 stored in the memory unit 12f and selects one of the DHCP servers for which a client requests permission to use an IP address.); create a release data packet if the received network address is a new network a new network address and the previous server is a different server that the current server which the release data packet includes the prior network address with a prior network address from a previous server." (Co1.6 lines 5- 30 Fig 4 and Fig 5 The packet format comprises an op field 41, which indicates the type of message). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Schuauser by Daizo to include the limitation "comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; create a release data packet if the received network address is a new network a new network address and the previous server is a different server that the current server which the release data packet includes the prior network address" as taught by Daizo in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

> Although the modified teachings of Schuauser show substantial features of the claimed invention, they further fail to expressly disclose: "send the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse."
>
> Nevertheless, "send the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse" was well known in the art at the time of the claimed invention. In a similar field of endeavor, Maufer teaches: "send the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse."(Col.5 [00433 lines 6 -1 7 it will use DHCP to release one of the private addresses so that it can be assigned to another location). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Schuauser by Maufer to include the limitations of "sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse" as taught by Maufer in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

Office action of April 16, 2007, pp. 13-16.

The rejection of claim 7 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claim 7 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *Schauser* does not teach or suggest all of the features of claim 7. *Schauser* teaches the following:

> The present invention is a system and method for controlling information displayed on a first processor-based system, from a second processor-based system. The apparatus comprises a memory to store instruction sequences by which the second processor-based system is processed, and a processor coupled to the memory. The stored instruction sequences cause the processor to: (a) examine, at a predetermined interval, a location of a currently displayed image; (b) compare the location with a corresponding location of a previously displayed image to determine if the previously displayed image has changed; (c) transmitting location information representing the change; and (d) storing the changed information on the first processor-based system. Various embodiments are described.

Schauser, Abstract.

Schauser teaches a method for controlling information displayed on a processor from a second processor. However, none of these features are related to the claimed features of comparing, creating, or sending, as in claim 1. In fact, contrary to the examiner's assertions, *Schauser* has utterly nothing to do with the claimed inventions.

Because each of *Daizo*, *Maufer*, and *Schauser* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claim 7.

II.H. Claim 8

The examiner rejects claim 8 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Viola*, *et al.*, Dynamic Internet Protocol Address Management Method, United States Patent 6,961,322 (November 1, 2005) (hereinafter "*Viola*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 8,Viola discloses the limitations of a data processing system for managing network addresses, (Col. 1 [0001] The present invention pertains to internet networks and more particularly to a method for managing dynamic internet address leasing.)
>
> Viola did not disclose the limitations of "comparing means for comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; creating means for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, the release data packet includes the prior network address; and sending means for sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse". The general concept of having the limitations of "comparing means for comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; creating means for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address; is well known in the art as taught by Daizo. Daizo discloses the limitations "comparing means for comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server. (Col. 5 lines 34- 38 The selector unit 129 compares two IP addresses 32 and 33 received from DHCP servers 11 and 21, respectively with the reference address 31 stored in the memory unit 12f and selects one of the DHCP servers for which a client requests permission to use an IP address.) "creating means for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address (Col.6 lines 5- 30 Fig 4 and Fig 5 The packet format comprises an op field 41, which indicates the type of message). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Viola by Inoue to include the limitation "comparing means for comparing a received network address from a current server for use in identifying the data processing system with a prior network

> address from a previous server; with a prior network address from a previous server; creating means for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address " as taught by Daizo in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.
>
> Although the modified teachings of Viola show substantial features of the claimed invention, they further fail to expressly disclose: "sending means for sending the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse."
>
> Nevertheless, "sending means for sending the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse" was well known in the art at the time of the claimed invention. In a similar field of endeavor, Maufer teaches: "sending means for sending the release data packet to the previous server in which the release data packet causes the previous server to release the prior network address for reuse."(Col.5 [0043] lines 6 -17 it will use DHCP to release one of the private addresses so that it can be assigned to another location). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Viola by Maufer to include the limitations of "sending means for sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse" as taught by Maufer in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.

Office action of April 16, 2007, pp. 16-19.

The rejection of claim 8 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claim 8 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, and *Viola* does not teach or suggest all of the features of claim 8. *Viola* teaches the following:

> A method manages an internet protocol address and time of validity. The method obtains (52) the IP address and validity time period for a mobile station (10). The IP address and validity time period are transmitted (53) to the mobile station (10). Prior to expiration of the validity time period the network (20) renews the IP address for a new validity time period.

Viola, Abstract.

Viola teaches a method for managing an IP address. Prior to an expiration of a valid time period, the network renews the IP address for a new validity time period. However, none of these features are related to the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, and *Viola* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claim 8.

II.I. Claim 14

The examiner rejects claim 14 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, and *Meyer*. This rejection is respectfully traversed. The examiner states that:

> Referring to claim 14, Meyer discloses the limitations of a computer program in a data processing system for managing network addresses, (Col. 1 lines 35-40 A computer management system capable of managing computer programs, computer files, computer settings, peripheral settings and the like is controlled through the use of agents on the computers and a remote accessing program.) Meyer did not disclose the limitations of "comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, the release data packet includes the prior network address; and sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the previous server to release the prior network address for reuse". The general concept of having the limitations of "first instructions for comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; second instructions for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address; is well known in the art as taught by Daizo. Daizo discloses the limitation of "first instructions for comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server; second instruction for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior network address " It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Meyer by Daizo to include the limitation of " First instructions comparing a received network address from a current server for use in identifying the data processing system with a prior network address from a previous server; with a prior network address from a previous server." (Col. 5 lines 34- 38 The selector unit 129 compares two IP addresses 32 and 33 received from DHCP servers 11 and 21, respectively with the reference address 31 stored in the memory unit 12f and selects one of the DHCP servers for which a client requests permission to use an IP address.) "Second instructions for creating a release data packet if the received network address is a new network address and the previous server is a different server than the current server, wherein the release data packet includes the prior

> network address " (Col.6 lines 5- 30 Fig 4 and Fig 5 The packet format comprises an op field 41, which indicates the type of message) as taught by Daizo in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is done by the server.
>
> Although the modified teachings of Meyer show substantial features of the claimed invention, they further fail to expressly disclose: "sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the prior network address for reuse."
>
> Nevertheless, "sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the prior network address for reuse" was well known in the art at the time of the claimed invention. In a similar field of endeavor, Maufer teaches: "sending means for sending ,the release data packet to the previous server, wherein the release data packet causes the previous server to release the prior network address for reuse." (Col.5 [0043] lines 6 -1 7 it will use DHCP to release one of the private addresses so that it can be assigned to another location). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Meyer by Maufer to include the limitations of "sending means for sending the release data packet to the previous server, wherein the release data packet causes the previous server to release the prior network address for reuse" as taught by Maufer in order to ensure that all IP addresses are unique. No IP address is assigned to a second client while the first client's assignment is valid. Thus IP address pool management is don by the server.

Office action of April 16, 2007, pp. 19-22.

The rejection of claim 14 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claim 14 are also erroneous and should be withdrawn.

Additionally, as shown above, the combination of *Daizo*, *Maufer*, and *Meyer* does not teach or suggest all of the features of any of the claims. Because each of *Daizo*, *Maufer*, and *Meyer* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claim 14.

II.J. Claim 20

The examiner rejects claim 20 as obvious under 35 U.S.C. § 103 over *Daizo*, *Maufer*, *Inoue*, and *Anderson*, *IV, et al.*, System, Method and Computer Program Product for Caching Domain Name System Information on a Network Gateway, United States Patent 7,152,118 (December 19, 2006) (hereinafter "*Anderson*"). This rejection is respectfully traversed. The examiner states that:

> Referring to claim 20 Meyer, Maufer, and Daizo disclose all the limitations described above. Meyer did not disclose the limitations of the "computer program product of claim 14, wherein the domain name server is located on a same data processing system as the previous server." The general concept of having the computer program product of claim 14, wherein the domain name server is located on a same data processing system as the previous server" is well known in the art as taught by Anderson. Anderson discloses the limitations of having the computer program product of claim 14, wherein the domain name server is located on a same data processing system as the previous server" (Col. 2 lines 63-65 Alternately, in accordance with an iterative resolution protocol, if the primary domain name server cannot provide the necessary mapping information, a failure message is sent to the CPE 102, which then sends a new query to additional assigned domain name servers(a secondary domain name server). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Maufer, Meyer and Atsushi to include "the computer program product of claim 14, wherein the domain name server is located on a same data processing system as the previous server" in order to provide a centralized DNS cache for resolving DNS queries generated by one or more CPE devices attached to a network.

Office action of April 16, 2007, pp. 22-23.

The rejection of claim 20 relies on the same reasoning given for the rejection of claim 1. However, as shown above, the rejection of claim 1 is erroneous and should be withdrawn for the reasons given above. Accordingly, the rejections of claim 20 are also erroneous and should be withdrawn.

Additionally, the combination of *Daizo*, *Maufer*, *Inoue*, and *Anderson* does not teach or suggest all of the features of claim 20. *Anderson* teaches the following:

> A system, method and computer program product is provided for caching domain name system (DNS) information on a network gateway. In particular, a network gateway that interfaces one or more customer premises equipment (CPE) devices to an IP network maintains a centralized on-board cache for storing domain names and corresponding IP addresses. The domain names and IP addresses in the cache are used by the network gateway to resolve DNS queries generated by application programs running on the CPE devices in a manner that is transparent to the CPE devices and that does not expend CPE resources. The cache may be initially loaded by an attached CPE or an external network entity and is continuously populated with information extracted from DNS messages exchanged between a CPE device and the external IP network.

Anderson, Abstract.

Anderson teaches a method for caching domain name system information on a network gateway. The domain names and IP addresses in a cache on the gateway to resolve DNS queries are generated by application programs. However, none of these features are related to the claimed features of comparing, creating, or sending, as in claim 1.

Because each of *Daizo*, *Maufer*, *Inoue*, and *Anderson* are devoid of disclosure regarding the features of claim 1, the proposed combination of these references, considered as a whole, does not teach or suggest all of the features of claim 1. Accordingly, the examiner also failed to state a *prima facie* obviousness rejection against claim 20.

II.K. Obviousness Rejections Generally

Generally, the obviousness rejections are based on references that simply do not support the examiner's assertions. Furthermore, the rejections are based on asserted facts that are simply wrong in view of the plain disclosures of the references. In view of these two facts, the examiner appears to have ignored or wholly misunderstood the features of the claims. Ignoring the claimed features in this manner violates the principles of *In re Lowry*, which requires that the examiner consider all features of the claims.

Additionally, the above two facts show that none of the reasons asserted by the examiner for combining the references constitute proper reasons for combining the references under the standards of *KSR Int'l.* Given that the references are so far divergent from the claims and given that the examiner's reading of the references vis-à-vis the claims is so far divergent from the actual teachings of the references compared to the claims, the examiner's asserted reasons for combining the references cannot support the obviousness rejections.

Additionally, the examiner used *ten* references in rejecting the claims. Applicants recognize that that the mere number of references is irrelevant to the determination of obviousness. However, in view of the examiner's misunderstanding of the references vis-à-vis the claims, the plethora of references shows that the examiner must have searched for claim terms in the cited references and then cobbled together the references solely on the basis that the words appeared in those references, without regard to the overall teachings of the references themselves. This type of hindsight reconstruction is forbidden. For example, a determination of the desirability of combining prior art references must be made without the benefit of hindsight afforded by an applicant's disclosure. *In re Paulsen*, 30 F.3d 1475, 1482, 31 U.S.P.Q. 1671, 1676 (Fed. Cir. 1994).

Therefore, again, the examiner failed to state any *prima facie* obviousness rejections. Accordingly, the rejections under 35 U.S.C. § 103 have been overcome.

III. Conclusion

The subject application is patentable over the cited references and should now be in condition for allowance. The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: July 16, 2007

Respectfully submitted,

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